



STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
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PHIL BREDESEN
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TIMOTHY K. WEBB Ed.D.
COMMISSIONER

December 1, 2009

Dr. Thelma Meléndez de Santa Ana, Assistant Secretary
Office of Elementary and Secondary Education
400 Maryland Avenue, S.W.
Room 3W300
Washington, DC 20202-6132

Dear Secretary Meléndez de Santa Ana:

In 2007, Governor Phil Bredesen publicly acknowledged that Tennessee's academic content and achievement standards were inadequate in preparing our State's students for the 21st Century. He called for parents, educators, business leaders, students, and other key stakeholder groups to commit to fundamentally raising our expectations for what our students know and are able to do academically. As part of this process, Tennessee joined the American Diploma Project Network, an initiative of Achieve, Inc. This important collaborative includes 35 states that are dedicated to ensuring that every high school graduate is prepared for college or a career. Because of this, Tennessee has committed to revising its academic content and achievement standards. The purpose of this letter is to inform you and your staff of these changes and to request the necessary flexibility to implement these changes through five waiver requests.

Enclosed in this letter, please find two documents, one for grades 3-8, and one for grades 9 -12, which provide the timelines for major accomplishments in implementing the State's new standards and assessments. We are proud that Tennessee has shown leadership in achieving one of the goals of the American Recovery and Reinvestment Act – "making progress toward rigorous college- and career-ready standards and high quality assessments that are valid and reliable for all students, including English language learners and students with disabilities." We now need approval from the Secretary to waive specific statutes and regulations for the following requirements so that we have the flexibility to effectively incorporate these changes within our accountability model. We are asking for five waivers of statutory and regulatory requirements as provided for in Section 9401 of the Elementary and Secondary Education Act.

Waiver 1:

Tennessee requests a waiver of Section 1116(b) (1) (B), which requires the identification of schools in improvement, corrective action, or restructuring no later than the beginning of the next school year. Tennessee will make its adequate yearly progress (AYP) calculations based on data for the 2009-2010 school year by the end of December 2010, which is after the start of the 2010-2011 school year.

Waiver 2:

Tennessee requests a waiver of §200.37(b)(4)(iv), which requires notification to parents of students in schools in improvement, corrective action, or restructuring of the option for public school choice no later than 14 days before the start of the school year. Tennessee will require schools that were identified as in school improvement, corrective action, or restructuring and that did not meet adequate yearly progress in school year 2009-2010 to notify parents of the public school choice option 14 days before the start of school. Tennessee will require schools that will be newly identified as in school improvement and schools that are in school improvement, corrective action, or restructuring but made AYP in school year 2009-2010 and failed in AYP in school year 2010-2011 to notify parents of the option for public school choice 2 weeks after final determination of AYP calculations for school year 2010-2011 are announced.

Waiver 3:

Tennessee requests a waiver of Sections 1116(b) (1) (E) (i), which requires notification to parents of students in schools in improvement, corrective action, or restructuring of the option for public school choice no later than the first day of the start of the school year. Tennessee will require schools that were identified as in school improvement, corrective action, or restructuring and that did not meet adequate yearly progress in school year 2009-2010 to notify parents of the public school choice option 14 days before the start of school. Tennessee will require schools that will be newly identified as in school improvement and schools that are in school improvement, corrective action, or restructuring but made AYP in school year 2009-2010 and failed in AYP in school year 2010-2011 to notify parents of the option for public school choice two weeks after final determination of AYP calculations for school year 2010-2011 are announced.

Waiver 4:

Tennessee requests a waiver of Sections 1111(b) (2) (F) and §200.15 to extend the deadline for all students to meet the new State achievement standards for proficiency from 2013-14, 12 years after adequate yearly progress determinations based on data from school year 2001-02, to 2016-2017, seven years after adequate yearly progress determinations based on the new State standards implemented in school year 2009-2010.

Waiver 5:

Tennessee requests a waiver of §200.10(b) of the Title I regulations to calculate an interim graduation rate to include students having the characteristics defined below.

Students who are identified with the following characteristics may also be included in the four-year and extended-year adjusted cohort graduation rate:

- 1- earned a General Educational Development (GED) diploma after their 17th birthday obtained through a GED school-based option program with characteristics approved by the Tennessee Department of Education;***
- 2- be included in the adjusted cohort rate for students who enter grade 9 and any students who transfer into the cohort in grades 9 through 12; and,***
- 3- had accumulated four or fewer credits out of 22 credits required to earn a regular diploma.***

The approval of Tennessee's request for five waivers of Title I statute and regulations will:

1. *increase the quality of instruction for students* by ensuring that Tennessee's more rigorous academic content and achievement standards are implemented effectively and that a valid bookmarking of assessments based on the new achievement standards is accomplished. To accomplish this effectively, the State will need more time to set its new achievement standards for the new assessments, determine its new starting point, and calculate AYP. In addition, to ensure that both local and state resources are targeted at the schools and districts that need them most, the State is requesting an extended timeline for reaching 100% proficiency and a transitional graduation rate calculation;
2. *improve the academic achievement of students* by ensuring that these new, more rigorous standards and assessments are phased in a systematic, valid way that will give the public confidence in the new standards, assessment, and accountability system;
3. *will provide specific new annual expectations for the State and local educational agencies;*
4. *will assist the State and its local educational agencies* in implementing these new academic content and achievement standards in reasonable steps by ensuring that the item mapping (bookmarking) process and the establishment of new annual measurable objectives are valid and reliable and have occurred after the first full year of instruction on the new curriculum standards providing more representative assessment item statistics after the first operational use; and,
5. *ensures that schools will continue to provide assistance to the same populations served by Title I* by requiring the implementation of requirements for schools in improvement, corrective action, and restructuring, such as parent notification, public school choice, and supplemental educational services, as soon as adequate yearly progress determinations are made based on the data for school year 2009-2010.

As required under Section 9401, the Tennessee Department of Education has provided all local educational agencies with notice of this waiver request. The State will submit any comments received about this request to the Secretary after the local educational agencies

have had a reasonable opportunity to comment. In addition, the State will post this waiver request on its website so that the public is informed.

We appreciate your consideration of these requests. If you have any questions about these requests, please contact Dr. Connie J. Smith at 615-532-4703 or email connie.j.smith@tn.gov.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Timothy K. Webb". The signature is written in a cursive, flowing style.

Timothy K. Webb, Ed.D.

Enclosure

c: Zollie Stevenson

Tennessee Comprehensive Assessment Program

TCAP End of Course Assessment (Grades 8-12)

★ Winter/Spring 2007 - Winter 2007/08

- Preliminary planning for Tennessee to join the American Diploma Project, an initiative of the national, bi-partisan, non-profit organization Achieve, Inc.
- Tennessee Diploma Project kicks off with a statewide leadership meeting at the State Capitol.
- TDP Teams organize in the areas of: *Leadership, Math and English/Language Arts Standards Alignment, Business Outreach, Higher Education Outreach, K-12 Outreach, Parent and Student Outreach, Professional Development, Assessment Redesign, Communication, and Project Sustainability.*
- *Outreach* led by THEC to higher education system freshmen math and English instructors. Surveys completed, collected and analyzed.
- New K-12 math and reading/language arts Content Standards created by TN Educators vetted for alignment to national content and college and career standards by Achieve.
- New K-12 science Content Standards created by TN Educators and vetted for alignment to national and college and career standards.
- Governor Bredesen facilitates "Roundtable Meetings" organized by the Tennessee Business Roundtable and the Hyde Family Foundations with key state CEOs in Memphis, Jackson, Chattanooga, Knoxville, Kingsport and Nashville.
- All content standards vetted by TN stakeholder committees.
- SBE final approval for New TN K-12 Content Standards for math, reading/language arts, and science.
- New content standards from TDOE Teaching and Learning to TDOE Assessment for preliminary work on style and item writing.
- ESL, Special Education, and parent meeting on science content standards and draft achievement level descriptors – October 23-24, 2007

★ January to May 2008

- Transition/Sunset Plan Design (Current Gateway/End of Course Assessments)
- Item creation by vendors and initial review of items by TDOE staff and TN educators in math, reading/language arts, and science.
- Begin Item writing for math, reading/language arts, and science based on new content standards and new style guides.
- Governor's Assessment Advisory Group Meeting – Initial meeting on standards and assessments – March 2
- Governor's Assessment Advisory Group Meeting – Achievement Levels – May 14
- Task Force on Setting Achievement Standards for English Language Arts, Math, and Science – May 14-15

★ Summer 2008 - Fall 2008

- Final End of Course assessments in Math Foundations II and Physical Science
- Creation and Review of "New" Items based on "New" Curriculum Standards
- Begin Sunset of Current Gateway/EOC Assessments (Student High School enrollment in or prior to 2008-09)
- Content Standards, Assessment, Data Professional Development
 - Standards Awareness Training Phase I (approximately 4500 system personnel participated in the training)
 - Content standards, assessment, data, and offer makeup Professional Development worksessions to systems not sending teachers during the Summer, 2008 Institute

- Development and rollout of Electronic Learning Center (ELC) providing online standards training and follow up support to Tennessee educators through PD Portals. Developed in conjunction with Tunes University and Tennessee Board of Regents (TBR)
- Continued Review by TDOE staff and TN educators of new End of Course items.
- Governor's Assessment Advisory Group Meeting – Characteristics of Assessments and Standard-Setting Process – October 14

★ **Winter 2008-09**

- Content Standards, Assessment, Data Professional Development
 - Phase II “Unpacking the Standards” (approximately 2000 system/ school administrators and school counselors were provided training)
 - “Content Specialty Workshops in math, English/Language Arts/Reading, and Science to High Priority/Target schools and school systems.
- Request to USDOE for TN Accountability transition based on implementation of new content standards and assessments.
 - Confirm allowable procedures for new Annual Measurable Objectives based on new assessments. AMO recalibrated to around 20 percentile with 2014 deadline.
 - Confirm request to push back AMO goal of 100% to 2018 or beyond.
 - Request delay of reporting AYP for the 2009-10 SY.
 - Confer and resubmit as required by USDOE.
- Continue new item development with item reviews by TN educators for content and bias.
- New RFP issued for End of Course Assessments. (Requested and received approval for a 10 year contract.)
- Initial Task Force to review the alignment of the Alternate Achievement Content and Achievement Standards (1%) to New Assessments – January 15
- ESL, special education, and parents meeting on achievement standards for English Language Arts, math, and science
- First reading of Achievement Levels and Descriptors at State Board Meeting – January 30

★ **Spring 2009** – (TCAP Gateway and End of Course Assessment Administration Window: (May)

- 8th - 12th grade students assessed with current assessments
- Provide “Content Specialty Workshops in math, English/Language Arts/Reading, and Science to High Priority/Target schools and school systems.
- SBE final approval of performance level definitions.
- Field Test New End of Course items. (Current TCAP Gateway/End of Course assessments with embedded field test items.)
- Process, score, and report for TCAP Gateway/End of Course assessments.
- Begin item writing for Algebra II End of Course assessment.

★ **Summer/Fall 2009**

- Continued Content Standards, Assessment, Data Professional Development
 - Phase II. Retrain Cohort I. Train the Trainers – “What Worked?” 4500 teachers/educators invited back for refresher courses.
 - Content Specialty Workshops in math, English/Language Arts/Reading, and Science to ALL schools and school systems.

- Continuation of Electronic Learning Center (ELC) development and updating based on new standards training and information.
- Review of Field Test item statistics and development of new End of Course Assessment forms, assessment administration format, final preparation for equating 'old' to "new" standards and assessments.
- End of Course New Operational Assessments administered Fall 2009. (Transition Assessments that will continue in New High School Policy) (Continue Transition/Sunset Gateway Assessments)
- Begin Creation of New End of Course Assessments not previously offered as funds are available. (Algebra II and English III are top priorities.)

★ **Spring 2010** (TCAP End of Course Assessments Administration Window: May)

- Continued New Operational End of Course Assessments administered with items written on new course content standards.
- Onsite Assistance Standards Teams – Exemplary Educators, Systemwide Targeted Assistance Teams (STATs), and Achievement Gap Elimination (AGE) members trained to follow up and trouble shoot with teacher/administrators.

★ **Spring/Summer 2010**

- New End of Course "Cut" Scores Established. (End of Course "Performance" Standard Setting Required.)
- Phase II. School/Systemwide Improvement Teams Cohort – Retrain the trainers.
- Continue development of the Electronic Learning Center (ELC). Pod cast development.
- SBE review EOC achievement "Cut" Score recommendations
- SBE approval of EOC achievement "Cut" Scores.

★ **Spring/Summer/Fall 2010** (Continuous reporting at all levels.)

- New reporting to students, schools, and districts for End of Course performance, TVAAS, AYP, and the State Report Card. (New End of Course Standards Applied to all reporting.)
- Continue Transition/Sunset Gateway Assessments.

Tennessee Comprehensive Assessment Program

TCAP Achievement Assessment (Grades 3-8)

★ **Winter/Spring 2007 - Winter 2007/08**

- Preliminary planning for Tennessee to join the American Diploma Project, an initiative of the national, bi-partisan, non-profit organization Achieve, Inc.
- Tennessee Diploma Project kicks off with a statewide leadership meeting at the State Capitol.
- TDP Teams organize in the areas of: *Leadership, Math and English/Language Arts Standards Alignment, Business Outreach, Higher Education Outreach, K-12 Outreach, Parent and Student Outreach, Professional Development, Assessment Redesign, Communication, and Project Sustainability.*
- *Outreach* led by THEC to higher education system freshmen math and English instructors. Surveys completed, collected and analyzed.
- New K-12 math and reading/language arts Content Standards created by TN Educators vetted for alignment to national content and college and career standards by Achieve.
- New K-12 science Content Standards created by TN Educators and vetted for alignment to national and college and career standards.
- Governor Bredesen facilitates “Roundtable Meetings” organized by the Tennessee Business Roundtable and the Hyde Family Foundations with key state CEOs in Memphis, Jackson, Chattanooga, Knoxville, Kingsport and Nashville.
- All content standards vetted by TN stakeholder committees.
- SBE final approval for New TN K-12 Content Standards for math, reading/language arts, and science.
- New content standards from TDOE Teaching and Learning to TDOE Assessment for preliminary work on style and item writing.
- ESL, Special Education, and parent meeting on science content standards and draft achievement level descriptors – October 23-24, 2007

★ **January to May 2008**

- Item creation by vendors and initial review of items by TDOE staff and TN educators in math, reading/language arts, and science.
- Governor’s Assessment Advisory Group Meeting – Initial meeting on standards and assessments – March 2
- Governor’s Assessment Advisory Group Meeting – Achievement Levels – May 14
- Task Force on Setting Achievement Standards for English Language Arts, Math, and Science – May 14-15

★ **March 15, 2008** – (Start of new 3-8 contract with Pearson Educational Measurement) (PEM)

- Transition from CTB McGraw Hill (CTB) to PEM for assessment administration and development.
- Grades 3-8 Achievement, Grades 3-8 Modified Assessment (MAAS for 2% Sp Ed students), Grades 3-8 Linguistically Simplified (ELSA for ELL/ESL students)

★ **Summer 2008 - Fall 2008**

- Content Standards, Assessment, Data Professional Development
 - Standards Awareness Training Phase I (approximately 4500 system personnel participated in the training)
 - Content standards, assessment, data, and offer makeup Professional Development worksessions to systems not sending teachers during the Summer, 2008 Institute

- Development and rollout of Electronic Learning Center (ELC) providing online standards training and follow up support to Tennessee educators through PD Portals. Developed in conjunction with Tunes University and Tennessee Board of Regents (TBR)
- Final Review by TDOE staff and TN educators of new achievement items.
- Tennessee working as a part of a multi-state GSEG on Assessing Students with Disabilities (2% MAAS)
- Governor's Assessment Advisory Group Meeting – Characteristics of Assessments and Standard-Setting Process – October 14

★ Winter 2009

- Content Standards, Assessment, Data Professional Development
 - Phase II “Unpacking the Standards” (approximately 2000 system/ school administrators and school counselors were provided training)
 - “Content Specialty Workshops in math, English/Language Arts/Reading, and Science offered to High Priority/Target schools and school systems.
 - Continuation of Electronic Learning Center (ELC) development and updating based on new standards training and information
- Continuation of multi-state GSEG on Assessing Students with Disabilities (2% MAAS)
 - Data Analysis, Accommodations, Identification, IEP Team Support, Research and Evaluation for TN MAAS
 - Selection of Field Test population from TN grades 3-8
- Request to USDOE for TN Accountability transition based on implementation of new content standards and assessments.
 - Confirm allowable procedures for new Annual Measurable Objectives based on new assessments. AMO recalibrated to around 20 percentile with 2014 deadline.
 - Confirm request to push back AMO goal of 100% to 2018 or beyond.
 - Request delay of reporting AYP for the 2009-10 SY.
 - Confer and resubmit as required by USDOE.
- Initial Task Force to review the alignment of the Alternate Achievement Content and Achievement Standards (1%) to New Assessments – January 15
- ESL, special education, and parents meeting on achievement standards for English Language Arts, math, and science

★ Spring 2009 – (TCAP Achievement Assessment Administration Window: March 30 – April 24)

- Provide “Content Specialty Workshops in math, English/Language Arts/Reading, and Science to High Priority/Target schools and school systems.
- SBE final approval of performance level definitions.
- Field Test New Achievement items. (TCAP Form T with embedded field test items.)
- Process, score, and report for TCAP T. (Last of the “old” standards and assessments.)
- Field Test TCAP MAAS (2% SpEd)
- Final reading for Achievement Levels and Descriptors at State Board Meeting – April 15

★ Summer/Fall 2009

- Continued Content Standards, Assessment, Data Professional Development
- Phase II. Retrain Cohort I. Train the Trainers – “What Worked?” 4500 teachers/educators invited back for refresher courses.
 - Content Specialty Workshops in math, English/Language Arts/Reading, and Science to ALL schools and school systems.

- Continuation of Electronic Learning Center (ELC) development and updating based on new standards training and information.
- Review of Field Test item statistics and development of new Achievement Assessment forms, assessment administration format, final preparation for equating 'old' to "new" standards and assessments.

★ **Spring 2010** (TCAP Achievement Assessment Administration Window: March 22 – April 9)

- New Operational Assessment administered with items written on new grade level content standards. (TCAP Form A, ELSA, and MAAS)
- Onsite Assistance Standards Teams – Exemplary Educators, Systemwide Targeted Assistance Teams (STATs), and Achievement Gap Elimination (AGE) members trained to follow up and trouble shoot with teacher/administrators.

★ **Spring/Summer 2010**

- New Achievement "Cut" Scores Established. (Achievement "Performance" Standard Setting Required.)
- Phase II. School/Systemwide Improvement Teams Cohort – Retrain the trainers.
- Continue development of the Electronic Learning Center (ELC). Pod cast development.
- SBE review Achievement "Cut" Score recommendations
- SBE approval of Achievement "Cut" Scores.

★ **Spring/Summer/Fall 2010** (Continuous reporting at all levels.)

- New reporting to students, schools, and districts for achievement performance, TVAAS, AYP, and the State Report Card. (New Achievement Standards Applied to all reporting.)